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SEC

SERVICE DATE – JUNE 26, 2006

SURFACE TRANSPORTATION BOARD

DECISION

STB Finance Docket No. 34855

IOWA INTERSTATE RAILROAD, LTD.–ACQUISITION EXEMPTION–GREAT WESTERN  
RAILWAY COMPANY OF IOWA, L.L.C.

Decided: June 23, 2006

On March 27, 2006, Iowa Interstate Railroad, Ltd. (IAIS), filed a petition seeking an exemption under 49 U.S.C. 10502 from the prior approval requirements of 49 U.S.C. 10902 to acquire by purchase a rail yard owned by Great Western Railway Company of Iowa, L.L.C. (Great Western). The rail yard consists of approximately 55 acres and 15 tracks, and extends from milepost 0 at 18th Street to milepost 1.6, at Council Bluffs, IA. By decision served on June 1, 2006 (June 2006 decision), the Board granted Great Western's petition for exemption, subject to labor protective conditions.

By motion filed on June 14, 2006, Counsel for IAIS (Counsel) requested leave to serve a copy of the Board's June 2006 decision on the Hansen Mueller Elevator (Hansen Mueller), the sole shipper on the line, 7 days late.<sup>1</sup> Counsel states that, due to an oversight, he did not serve Hansen Mueller with a copy of the decision. In a revised affidavit filed on June 19, 2006, Counsel states that IAIS served a copy of the decision on Hansen Mueller on June 13, 2006. Counsel states that he spoke to Jim Mendlik, Vice President of Operations for Hansen Mueller, and Mr. Mendlik indicated that he did not object to receiving the Board's decision late. Under the circumstances, the request to serve the shipper with the decision 7 days late is reasonable and will be granted.

This decision will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. IAIS's motion is granted.

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<sup>1</sup> The June 2006 decision ordered IAIS to serve all shippers on the line with a copy of the decision within 5 days of the service date, or by June 6, 2006.

2. This decision is effective on its service date.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams  
Secretary